

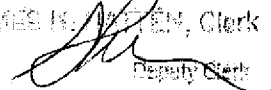
UNITED STATES DISTRICT COURT

FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

for

DEC - 1 2009

NORTHERN DISTRICT OF GEORGIA

JAMES K. JEFFERSON, Clerk  
By:  Deputy Clerk

U. S. A. vs. Jimmie D. Fleming

Docket No. 1:09-CR-503-01-CAP

PETITION AND ORDER TO MODIFY CONDITIONS OF SUPERVISED RELEASE

COMES NOW N. Keith Scott PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Jimmie D. Fleming who was placed on supervision for the offense of Unlawful Possession of a Firearm and Ammunition by a Convicted Felon, in violation of 18 U.S.C. §922(g)(1), by the Honorable John D. Bates sitting in the court at Washington D.C., on the 18<sup>th</sup> day of August, 2003, who fixed the period of supervision at 36 months, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. The defendant shall participate in and successfully complete a substance abuse treatment program, which may include drug testing, detoxification service, a residential substance abuse treatment program, and outpatient counseling as approved and directed by the U. S. Probation Officer.
2. The defendant shall refrain from the use and possession of beer, wine, liquor, and other forms of intoxicants.
3. The defendant shall participate in and successfully complete an alcohol aftercare treatment program, which may include breathalyzer testing, detoxification service, and outpatient counseling as approved and directed by the U. S. Probation Officer.
4. The defendant shall perform 24 hours of community service work as directed by the U. S. Probation Officer and abide by the conditions of the Community Service Agreement. *(Added via modification on August 21, 2008).*

*On October 28, 2009, transfer of jurisdiction was secured in the Northern District of Georgia.*

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

1. The defendant shall not commit another federal, state or local crime.
  - (a) On November 28, 2008, the defendant was arrested and charged by the Washington D. C. Police for Driving Under the Influence of Alcohol. On October 29, 2009, the defendant was convicted in Washington D. C. Superior Court to the reduced charge of Operating (a vehicle) While Impaired. The offender was sentenced to one year probation and fined \$300.
  - (b) On May 2, 2009, the defendant was cited by the North Carolina Highway Patrol for Speeding (98/65). The defendant was convicted and sentenced in Guilford County District Court to pay a fine of \$371.
  - (c) On May 19, 2009, the defendant was cited by the Georgia State Patrol for Open Container of Alcohol and Driving on the Gore. On June 24, 2009, the defendant was convicted of both charges and fined \$275.

- (d) On July 10, 2009, the defendant was arrested by the Henry County (GA) Police and charged with Reckless Driving and Failure to Maintain Lane. On November 12, 2009, the defendant entered a nolo contendere plea in Henry County State Court to Failure to Maintain Lane, was sentenced to 12 months probation, and fined \$350. The remaining charge was nolle prossed.

PRAYING THAT THE COURT WILL ORDER the conditions of Supervised Release be modified to include the following condition:

The defendant shall participate in the following home confinement detention program for a period of 120 days and abide by all the requirements of the program which will include electronic monitoring or other location verification system. The defendant shall pay all or part of the costs of the program based upon his ability to pay as determined by the probation officer. The defendant shall be restricted to his residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer.


ORDER OF COURT

Considered and ordered this 4 day of


Dec, 2009

and ordered filed and made a part of the records

in the above case.

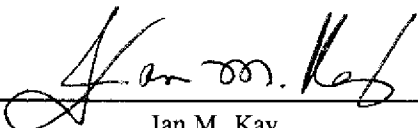
  
Honorable Charles A. Pannell, Jr.  
U. S. District Judge

Respectfully,

  
N. Keith Scott  
Sr. U. S. Probation Officer

Place: Newnan, Georgia

Date: December 1, 2009

  
Jan M. Kay  
Supervising U.S. Probation Officer